

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

**KATHERINE PAINTER,**  
*Plaintiff*

v.

**BLUE RIDGE REGIONAL JAIL AUTHORITY)**

**and**

**CORRECTIONS OFFICER TIMOTHY  
FARRAR, INDIVIDUALLY AND AS AN  
AGENT OF THE BLUE RIDGE REGIONAL  
JAIL AUTHORITY**

**and**

**CORRECTIONS OFFICER PITTS,  
INDIVIDUALLY AND AS AN AGENT OF THE )  
BLUE RIDGE REGIONAL JAIL AUTHORITY,)  
*Defendants.***

**CASE NO. 6:17-CV-00034**

**RULE 60(b)(4) MOTION TO SET ASIDE DEFAULT JUDGMENT**

COMES NOW the Defendant Timothy Wayne Farrar ("FARRAR"), by counsel appearing specially and in a limited capacity to challenge jurisdiction, and moves this Court to set aside the default judgment entered by this Court on DATE. In support of his motion, the Defendant asserts the following:

1. He was never served with process in the above-styled case.
2. This Court lacked jurisdiction to enter the default judgment against him.
3. The default judgment is void.
4. The default judgment must be set aside pursuant to F. R. C. P. Rule 60(b)(4).

5. Counsel for FARRAR contacted counsel for Plaintiff and requested agreement to set aside the default judgment and counsel for Plaintiff refused.

WHEREFORE Defendant Timothy Wayne Farrar moves this Court to set aside the default judgment pursuant to Rule 60(b)(4).

Respectfully submitted,

**TIMOTHY WAYNE FARRAR**  
**By Counsel**

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**By: /s/ M. Paul Valois**  
**M. Paul Valois, Esquire**  
**Counsel for Defendant**  
**Virginia State Bar No. 72326**

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16<sup>th</sup> day of August, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record, including:

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/s/ M. Paul Valois

M. Paul Valois